

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**

**Tuesday, September 22, 2015**

**City Council Chamber**

**4:00 p.m.**

#### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council President Kincaid called the meeting to order. The following members were present: Council Members Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Andrew Werthmann, and Michael Xiong.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, September 22, 2015:

- Approving Minutes of Regular Meeting of September 8, 2015.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Chamber Education Foundation, Mark Faanes, president, on October 20, 2015, at Eau Claire Indoor Sports Center at 3456 Craig Road for the Business Expo & Job Fair event.
- Granting a Temporary Class B Fermented Malt Beverage license to St. Olaf Parish, Pastor Paul Hoffman, president, on October 2, November 6, and December 4, 2015, from 3:00 p.m. to 9:00 p.m., at 3220 Monroe Street, for St. Olaf Men's Club Fish Fry Dinners.
- Granting a Class B Fermented Malt Beverage, a Class C Wine license, and a Class A Cabaret license to Forage, LLC, d/b/a Forage LLC, 800 Wisconsin Street, Bldg 13, Suite 214, Trish Cummins, agent.
- Granting Change of Agent for the Combination Class A Fermented Malt Beverage and Intoxicating Liquor license of Wisconsin CVS Pharmacy, LLC, d/b/a CVS/Pharmacy #10550, 2200 Brackett Avenue, from Gregg Barker to Josephine Josephson.
- Granting a Refuse Hauler license to Earthbound Environmental Solutions, LLC, d/b/a Earthbound Environmental Solutions, 3122 Louis Avenue, Suite 205.
- Authorizing Group Health Cooperative of Eau Claire to conduct the Haunted Hustle 5K event on Saturday, October 24, 2015 at Owen Park.
- Authorizing the Parks, Recreation & Forestry Department to apply for an Urban Forestry Grant from Wisconsin Department of Natural Resources.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt "to adopt the consent resolution". Said motion passed by unanimous vote.

#### **PROCLAMATION – FIRE PREVENTION WEEK**

Council President Kincaid, on behalf of the entire City Council, proclaimed October 5 – 10, 2015 as Fire Prevention Week.

## **LICENSING**

The City Council considered a resolution granting a permanent expansion of the Reserve Combination Class B Intoxicating Liquor & Fermented Malt Beverage and Class B Cabaret licensed premise of Coffee Grounds, Inc., d/b/a The Coffee Grounds, 4212 Southtowne Drive, to include a 2,161 square-foot inside area plus a 1,800 square-foot outside patio. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by unanimous vote.

## **GRANT**

The Council considered a resolution accepting and appropriating Edward Byrne Memorial Justice Assistance Grant (JAG) formula program funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

## **TAX INCREMENTAL FINANCING DISTRICTS**

The City Council considered a resolution approving a Territory Amendment to the Project Plan for Tax Incremental District No. 10. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Tewalt, Werthmann and Xiong. Nay: Council Members Lewis, Strobel and Von Haden.

The City Council considered a resolution approving the creation of, and Project Plan for, Tax Incremental District No. 11. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Tewalt, Werthmann and Xiong. Nay: Council Members Lewis, Strobel and Von Haden.

## **PROPERTY SALE AND ACQUISITION**

The City Council considered a resolution authorizing the sale of 742 North Barstow Street. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the acquisition of property at the intersection of Cameron Street and Interstate 94 and property along Cameron Street for future right-of-way. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

## **AGREEMENT**

The City Council considered a resolution approving a Memo of Understanding with Northern States Power designating City property at the Central Maintenance Facility as a canoe put-in as part of the portage around the Dells Hydro Dam. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

### **URBAN DEER MANAGEMENT**

The City Council considered a resolution accepting the Urban Deer Management Plan and implementing actions to control the urban deer herd. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis “to adopt the resolution”. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Strobel “to add an additional bullet point to read as follows: ‘If hunting is allowed on public land, the City Council will hold a hearing before any hunting would occur, in addition to meeting with and /or notifying the neighborhood where the hunt would occur’.” Council discussed the amendment. After further discussion, said motion to amend was withdrawn by the mover and seconder. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to add an additional bullet point to read as follows: ‘If hunting is allowed on public land, city staff will meet with the neighborhood where the hunt will occur prior to the hunt’.” Thereupon a substitute amendment was offered by Council Member Lewis “to have the amendment read as follows: “If hunting is allowed on city-owned public land, City staff will create a process to inform the community and neighbors prior to any scheduled hunt’.” Said substitution was accepted by the original mover and seconder. Council discussion of the amendment continued. Council then voted on the motion to amend. Said motion to amend passed on the following vote: Aye: Council Members Emmanuelle, Kincaid, Larsen, Lewis, Mitchell, Strobel, Tewalt, Von Haden, Werthmann and Xiong. Nay: Council Member Klinkhammer. Council continued their discussion. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to amend said resolution by adding the phrase ‘as Council approves and resources allow’ at the end of the Now, Therefore Be It Resolved paragraph”. Said motion to amend failed on the following vote: Aye: Council Members Lewis, Strobel, Werthmann and Xiong. Nay: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Tewalt and Von Haden. Council then voted on the motion to adopt the resolution, as amended. Said motion to adopt passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Member Werthmann.

### **COMPREHENSIVE PLAN UPDATE**

The Council considered an ordinance adopting the update of the Eau Claire Comprehensive Plan 2015. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Larsen “to adopt the resolution”. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to amend the Comprehensive Plan to incorporate the request of Eau Claire County in regards to the Eau Claire County Government Campus as outlined in letters from County Planning and Development Director Gurney and Board Chair Moore”. Motion to amend failed on the following vote: Aye: Council Members Klinkhammer, Lewis, Strobel and Xiong. Nay: Council Members Emmanuelle, Kincaid,

Larsen, Mitchell, Tewalt, Von Haden and Werthmann. Council continued discussion of the motion to adopt the ordinance.

Council Member Tewalt left the Council Chamber.

The Council then voted on the ordinance to adopt the Comprehensive Plan update. Said motion passed by unanimous vote.

Council Member Tewalt returned to the Council Chamber.

### **ZONING**

The Council had first reading on an ordinance rezoning property located on the west side of Mercantile Drive, north of Kohlhepp Road from C-3P to C-2P and to adopt the General Development Plan for Hope Gospel Mission House of Hope as shown on Planning File Z-1564-15.

The City Council had first reading on an ordinance rezoning property on the east side of Cypress Street, south of Hamilton Avenue from TR-1A to C-2P and to adopt the General Development Plan for a memory care facility as shown on Planning File Z-1565-15.

The Council had first reading on an ordinance amending provisions within the Zoning Code pertaining to Rooming Houses, requiring a conditional use permit for new rooming houses as shown on Planning File Z-1566-15.

### **ADJOURNMENT**

A motion was offered by Council Member Strobel and seconded by Council Member Lewis “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: September 22, 2015

Time: 6:02 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk